

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
Plaintiff,)
v.)
JAMES KRAHN,)
Defendant.)

CASE NO. CR07-156 RSL

DETENTION ORDER

Offense charged:

Conspiracy to Distribute Cocaine, in violation of Title 21, U.S.C., Sections
841(a)(1), 841(b)(1)(A), and 846.

Date of Detention Hearing: April 30, 2007

The Court, having conducted a contested detention hearing pursuant to Title 18
U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention
hereafter set forth, finds that no condition or combination of conditions which the defendant
can meet will reasonably assure the appearance of the defendant as required and the safety
of any other person and the community. The Government was represented by Ronald
Friedman and Norman Barbosa. The defendant was represented by Gilbert Levy.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) There is probable cause to believe the defendant committed the cocaine conspiracy drug offense. The maximum penalty is in excess of ten years. There is therefore a rebuttable presumption against the defendant's release based upon both dangerousness and flight risk under Title 18 U.S.C. § 3142(e).

(2) Presumption has not been overcome in this case. The government argues that the defendant's alleged role as a pilot made him inextricably involved in a 3-person team engaged in cross-border trafficking which is corroborated by the observations by law enforcement of numerous border crossings and the trafficking of narcotics since January 2007. In this investigation, 30 kilograms of cocaine was seized in the vehicle following this defendant's vehicle. Border crossing records in this investigation show that the sole purpose of the defendant's travel to the United States was for two hour trips observed by law enforcement as drug trafficking with his co-defendants. The magnitude of this investigation, if measured alone by the value of the narcotics is greater than one million dollars.

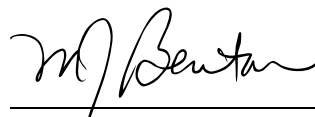
(3) The defendant is a lifelong resident of Canada with no known ties to the Western District of Washington. The Bureau of Immigration and Customs Enforcement has filed a detainer against him. As such, the defendant has not overcome the presumption and does pose a serious risk of flight.

Based upon the foregoing information, it appears that there is no condition or combination of conditions that would reasonably assure future Court appearances and/or the safety of other persons or the community.

It is therefore ORDERED:

- (1) The defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
- (2) The defendant shall be afforded reasonable opportunity for private consultation with counsel;
- (3) On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which the defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and
- (4) The clerk shall direct copies of this order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 1st day of May, 2007.



MONICA J. BENTON
United States Magistrate Judge